

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:)
SHAWN LEE ANDERSON) **CASE NO.: 22-04133-RSM**
4662 FORSMAN COURT) **CHAPTER 13**
MURFREESBORO, TN 37128) **JUDGE MASHBURN**
SSN/ITIN: XXX-XX-8902)
Debtor.

**AGREED ORDER GRANTING MOTION TO MODIFY CHAPTER 13 PLAN TO SURRENDER
COLLATERAL**

This matter was set for a hearing before the Court on April 3, 2024 upon the Debtor's Motion to Modify Chapter 13 Plan to Surrender Collateral and the Chapter 13 Trustee's objection thereto.

Prior to the hearing, the parties advised the Court that the matter was resolved by Agreed Order.

As evidenced by the signatures of counsel below, it is hereby AGREED and ORDERED the Debtor's motion is well taken and shall be granted as follows:

1. The Debtor's Chapter 13 plan shall be modified to surrender the 2022 Indian Chief Motorcycle (the "Vehicle") to Performance Finance ("Performance").

2. The Confirmation Order of March 15, 2023 shall be modified to temporarily suspend the monthly payments required pursuant to 11 U.S.C. 1325 (a)(5) on claims associated with the vehicle until Performance files an amended Proof of Claim, after disposing of the vehicle and reducing said claim by the amount of the net proceeds received from the sale. The time in which Performance can file an Amended Claim shall be limited to ninety (90) days after an order is entered granting this motion.

3. Should an Amended Claim not be timely filed, the claim will be deemed to have been satisfied in full by the surrender of the collateral and no other payments will be paid on the claim.

4. Performance shall be granted relief from stay to allow them to promptly collect the surrendered collateral. Should an amended claim be timely filed, said claim will be paid in full with 0% interest over the remaining life of the Debtor's Chapter 13 plan.

5. The Debtor's Chapter 13 plan shall further be modified to reduce the dividend to general unsecured creditors from 100% to 20%.

6. As the result of such modification, the Debtor's Chapter 13 plan base shall be reduced to \$380.00 bi-weekly and the plan base shall be set at \$76,800.00. The plan shall complete within 60 months from confirmation. There shall be no other changes to the terms of the confirmation order.

ORDERED, ADJUDGED AND DECREED that the Motion to Modify is granted as set forth above.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THIS PAGE.

APPROVED FOR ENTRY:

/s/ Alex Koval
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Digitally signed by /s/ Henry E. Hildebrand, III
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